

Humane Society of the United States and Humane Society Legislative Fund requested elements for inclusion in the new Horse Protection Act rule

The rule must include these provisions which were in the final 2017 rule:

- Prohibition of all action devices, except for certain boots, on any Tennessee Walking Horse or racking horse at any horse show, exhibition, sale, or auction. Prohibition of all pads and wedges on any Tennessee Walking Horse or racking horse at any horse show, exhibition, sale, or auction, unless use of these pads on such horse has been prescribed and the animal is receiving therapeutic, veterinary treatment using pads or wedges.
- Ending the HIO system of self-policing using industry inspectors to detect violations, and in its place creating a system in which third-party independent inspectors who are either veterinarians or vet techs knowledgeable about horses are licensed, trained and overseen directly by USDA. Must also include that APHIS will establish the licensing eligibility requirements to reduce conflicts of interest.
- Maintain that show management will still pay for inspectors, as they do now, so taxpayers won't have to shoulder a new expense.
- Maintain that management of HPA-covered events must, among other things, submit certain information records to APHIS, provide HPIs with access, space, and facilities to conduct inspections, and have a farrier physically present to assist HPIs at horse shows, exhibitions, sales, and auctions that allow Tennessee Walking Horses or racking horses to participate in therapeutic pads and wedges if more than 150 horses are entered, and have a farrier on call if 150 or fewer horses are entered.

We request that the provisions of the 2017 rule be strengthened to include:

- That weighted shoes be included in the prohibitions on devices allowed at covered events. These shoes have been shown to be involved in the soring process, and would be prohibited by the PAST Act. A September 2016 clarification of the first version of the rule that was finalized in 2017 contained this prohibition (“The use of any weight on horses, except a keg or similar conventional horseshoe is prohibited.”) although it was not included in the final rule.
- That the same prohibitions on shoes, pads, wedges and action devices be also applied to Spotted Saddle Horses. This breed has also been victimized by soring through the use of some of the devices that would be prohibited by PAST and the 2017 rule. The first version of that rule extended these prohibitions to any “related breed that performs with an accentuated gait that raises concerns about soring” which could have included Spotted Saddle Horses – but the final rule included only Tennessee Walking and Racking Horses.
- Scar rule: the NASEM committee recommended a revision to the scar rule contained in the current regulations and proposed new language. We reviewed that language and felt that it could be made clearer and stronger; we will provide our proposal to do so.

We have uploaded our comments submitted during the public comment period for the proposed 2017 rule and the exhibits mentioned in those comments are available upon request (as is any additional documentation OMB would like from our organization).